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INSURANCE BAD FAITH • CONSUMER CLASS ACTIONS

June 28, 2024

**VIA ECF**

Hon. Paul F. Engelmayer, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2201  
New York, NY 10007

**Re:** *Pumpkin Investments, LLC, v. XL Insurance America, Inc.*  
**Our File No.:** 11212.02  
**Civil Action No.:** 1:24-cv-01024-PAE

Dear Judge Engelmayer:

I represent Plaintiff Pumpkin Investments, LLC, in the above-captioned matter. I write with respect to Your Honor's Notice of Initial Pretrial Conference, (Docket No. 35), scheduling the Initial Pretrial Conference on August 14, 2024, at 3:00 p.m., to be held telephonically.

Plaintiff requests, under Section 1.E. of Your Honor's Individual Rules and Practices, an adjournment of the August 14, 2024, hearing to a date on which all counsel are available.

Plaintiff's counsel has a previously-scheduled flight from Orlando to Los Angeles on August 14, 2024, and is therefore not available on that date.

I have contacted counsel for Valley Forge Insurance Company and United Surgical Partners International, Inc. They do not object to the adjournment, and all counsel are available on September 10, 11, or 12 at 3:00 p.m. for a telephonic conference.

No prior extension has been requested for the conference.

Therefore, the parties request that the Initial Pretrial Conference be held telephonically on September 10, 11, or 12 at 3:00 p.m. If none of these dates are convenient for the Court, all counsel can supply additional dates if needed.

We thank Your Honor for your time and attention to these issues and look forward to the conference with Your Honor.

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Very truly yours,

LAW OFFICES OF CHRISTIAN J. GARRIS



CHRISTIAN J. GARRIS  
cjjg@chrisatiangarris.com  
cc: All Counsel (VIA ECF)

The Court will adjourn the conference previously scheduled for August 14, 2024, however, the Court is eager to find a date sooner than those proposed by counsel, which are almost a full month out from the initial date proposed. Accordingly, counsel should confer and submit a letter to the Court by July 8, 2024 suggesting dates and times on which all counsel are available for a telephonic conference during the week of August 12, 2024.

SO ORDERED.



Dated: July 2, 2024

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PAUL A. ENGELMAYER  
United States District Judge